

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 620-125

C# M#

SCHULZE-LEFERT et al

Group Art Unit: 1638

Serial No. 09/722,377

Examiner: Ibrahim, M.A.

Filed: November 28, 2000

Date: July 8, 2002

Title: POLYNUCLEOTIDE AND ITS USE FOR MODULATING A DEFENCE RESPONSE  
IN PLANTSAssistant Commissioner for Patents  
Washington, DC 20231

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Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson



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RESPONSE IN PLANTS

\* \* \* \* \*

July 8, 2002

RESPONSE

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

This is in response to the Office Action dated June 6,  
2002, in the above.

In response to the Examiner's requirement for  
restriction, Applicants elect the subject matter of Group I  
(claims 74-85) for prosecution in this application. As  
regards the Examiner's further requirement for election of  
one of (A) or (B), Applicants elect (A) (SEQ ID NO:1 or a  
sequence encoding SEQ ID NO:2).

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An early and favorable Action on the merits is  
requested.

Respectfully submitted,

**NIXON & VANDERHYE, P.C.**

By Mary J. Wilson

Mary J. Wilson  
Reg. No. 32,955

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